IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1275 OF 2005

Sakthi Aisvarya Spinning Mills & Ors...Petitioners

Versus

Messrs Aditi Enterprises & Anr. ...Respondents

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Ms.Shakuntala Mudbidri for Petitioners.

Ms.M.M.Deshmukh, A.P.P. for Respondent No.2.

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CORAM: A.M.KHANWILKAR, J.

DECEMBER 7, 2005.

P.C.

1. Heard. The grounds raised before this Court can be effectively answered by the Revisional Court.

2. As alternative efficacious remedy is available to the Petitioners by way of revision in view of the decision of this Court in the case of **V.K.Jain & Ors. vs. Pratap V.Padode reported in 2005(3) Mh.L.J. 778**, learned Counsel, on

instructions of the Petitioners, fairly prays for withdrawal of this Petition, with liberty to take recourse to remedy of revision. Hence, dismissed as withdrawn with liberty as prayed. All questions are left open.

3. The Petitioners to file such Revision Application within four weeks from today. Till such time, no precipitative action be taken against the Petitioners. Revision Application, if filed within four weeks from today, be considered on its own merits in accordance with law.

4. In case, there is any delay in filing Revision Application, Court will take into account the fact that the Petitioner had first approached this Court, which period may be excused in computing delay.

5. Petition disposed of on the above terms.

A.M.KHANWILKAR, J.